

GP3738

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Brian J. Brown, et al.
Application No.: O I P E 09/197,278
Filed: November 20, 1998
For: LONGITUDINALLY FLEXIBLE
EXPANDABLE STENT
Examiner: Unknown
Group Art Unit: 3738

O I P E
FEB 25 1999
PATENT & TRADEMARK OFFICE U.S.C.

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MAR 02 1999

Group 3700

Assistant Commissioner for Patents
Washington, DC 20231

Docket No.: S63.2-6769

TRANSMITTAL LETTER

1. In regard to the above-identified application, we are submitting the attached:
2 page Information Disclosure Statement; 2 page Form PTO 1449; copy of 7 page Form PTO 1449 from copending application No. 08/511,076, filed August 3, 1995; copy of 32 references; VAS transmittal; and postcard
2. With respect to fees:
 No additional fee is required.
 Attached is check(s) in the amount of \$
 Charge additional fee to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350

VIDAS, ARRETT & STEINKRAUS

Dated: February 23, 1999

By: 
Jonathan Grad
Registration No.: 41,795

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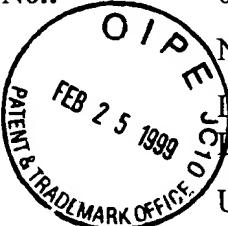
Certificate Under 37 CFR 1.8: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as First Class Mail, addressed to Assistant Commissioner for Patents, Washington D.C. 20231, on February 23, 1999.

Rebecca M. Painschab
Rebecca M. Painschab

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INFORMATION DISCLOSURE STATEMENT

Applicant submits herewith patents, publications or other information of which he is aware, and which he believes may be material to the examination of this application.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" to the invention of the above-identified application, unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

A copy of each of the items listed on accompanying Form PTO 1449 (Modified) is supplied herewith.

In accordance with 37 C.F.R. 1.98(a)(3), 1.98(c) and MPEP 609, English translations or abstracts of foreign language documents are provided as follows:

DE 297 08 689 is provided along with an English translation
DE 297 01 758 is provided with an English abstract
DE 297 08 879 is provided along with an English translation
DE 29702671 is provided with an English abstract

**Information Disclosure Statement
Application No. 09/197,278
Page 2**

The related copending applications that we are aware of are listed as follows:

Application No.: 08/511,076, filed August 3, 1995;
Application No.: 09/122,431, filed July 24, 1998.

Pursuant to MPEP §2001.06(b), no copies of cited art in previous applications to which priority was claimed need be submitted. Applicant is providing copies of the 1449 forms filed in these cases for the Examiner's convenience and easy reference.

This Information Disclosure Statement is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before receipt of a first Official Action on the merits, whichever occurs last.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: February 23, 1999

By: 

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